

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

HEATHYR J. ELLINGTON, Individually,	§	
and as Representative of the Estate of	§	
MICHAEL EARL ELLINGTON, Deceased,	§	
and JOHN-MICHAEL ELLINGTON,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. SA-15-CA-00426-DAE
	§	
THE UNITED STATES OF AMERICA,	§	
	§	
Defendant.	§	

**STIPULATION OF DISMISSAL**

Comes now Plaintiffs, Heathyr J. Ellington, Individually, and as Representative of the Estate of Michael Earl Ellington, Deceased and John-Michael Ellington and Defendant, United States of America, by and through their undersigned counsel of record, who hereby agree and stipulate as follows:

All conditions of the parties' settlement agreement having been fulfilled, the parties, through their undersigned counsel, now hereby stipulate to the dismissal with prejudice of the above-captioned action against the United States of America, with the parties to bear their own fees and costs.

Respectfully submitted,  
**RICHARD L. DURBN, JR.**  
United States Attorney

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